



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



June 2, 2009

Jon Sanabria  
Acting Director of Planning

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors,

**SUBJECT: HEARING ON ORDINANCE EXTENDING INTERIM ORDINANCE NO. 2008-0027U WHICH TEMPORARILY REGULATES DEVELOPMENT ON ALL RESIDENTIALLY-ZONED PARCELS IN THE UNINCORPORATED COMMUNITY OF CERRITOS ISLAND BY REQUIRING A CONDITIONAL USE PERMIT FOR NEW RESIDENTIAL BUILDINGS AND ADDITIONS (4 VOTES).**

**IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:**

1. Find that extension of Interim Ordinance No. 2008-0027U is not subject to the California Environmental Quality Act (CEQA).
2. Adopt the ordinance extending Interim Ordinance No. 2008-0027U for a period of one year.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:**

On June 10, 2008, the Los Angeles County Board of Supervisors adopted Interim Ordinance No. 2008-0027U, to address potentially adverse impacts of development of residentially-zoned property in the unincorporated community of Cerritos Island. The Interim Ordinance temporarily regulates the development of residential buildings or residential building additions which exceed 26 feet in height and yard modifications other than fences or walls located within the required setbacks of residentially-zoned parcels in the affected area by requiring a conditional use permit prior to such development. The area covered by the Interim Ordinance is bounded by 166<sup>th</sup> Street to the north, Gridley Road to the east, 167<sup>th</sup> Street to the south, and Elmcroft Avenue to the west. Unless the interim ordinance is extended, an irreversible incompatibility of building size, bulk and height, yard sizes and street access might occur as a result of approval of applicable entitlements.

On July 22, 2008 the Board of Supervisors conducted a public hearing and extended the interim ordinance for ten months and 15 days to allow sufficient time for the Department of Regional Planning (Planning Department) to complete a zoning study and develop recommendations for an appropriate permanent solution. This extension will expire on June 9, 2009.

The Planning Department has researched various means for addressing the conditions unique to the unincorporated area of Cerritos Island. Staff has also consulted with the County Fire and Public Works Departments as well as staff from the City of Cerritos to discuss their residents' particular concerns. Staff's research and consultations have provided important background information needed for a further analysis and recommendations of alternatives to address development-related issues in unincorporated Cerritos Island. The extension of Interim Ordinance No. 2008-0027U will allow Planning Department staff sufficient time to consider and evaluate corrective solutions in a Zoning Study, and if determined necessary, to prepare any associated ordinances or amendments to the Los Angeles County Zoning Code (Title 22).

### **FISCAL IMPACT/FINANCING**

Extension of said Interim Ordinance would not result in any fiscal impacts or financing as the preparation of the Zoning Study and any ordinance or amendment to Title 22 would be conducted with the currently budgeted staffing and resources.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Pursuant to Section 65858 of the Planning and Zoning Law (Title 7 of the California Government Code), Interim Ordinance No. 2008-0027U was adopted by the Board of Supervisors on June 10, 2008 and extended on July 22, 2008. The urgency measure temporarily requires a conditional use permit for proposed residential buildings or additions to residences that would exceed 26 feet in height and yard modifications on residentially-zoned parcels in the affected unincorporated Cerritos Island area.

The provisions of Section 65858 limit the first extension period of Interim Ordinance No. 2008-0027U to ten months and 15 days. In view of the approaching June 9, 2009 expiration date, it is recommended that the Interim Ordinance be extended for twelve months as provided in Section 65858. The extension will provide sufficient time for the Planning Department to complete a zoning study to review all residentially-zoned properties in the affected area and to assess zoning compatibility with the surrounding community. Additional time is needed to meet with the affected parties and neighboring city agencies, to consider and evaluate appropriate recommendations and, if needed, draft any associated ordinances or amendments to the Los Angeles County Zoning Code. If the Interim Ordinance is not extended, residential development may be approved absent of the restrictions contained in Interim Ordinance 2008-0027U which could potentially cause adverse impacts in the form of incompatible development that detracts from the physical appearance, conditions, and character of the area, and cause impacts on fire safety to the detriment of public health, safety, and general welfare.

Extension of the Interim Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment), and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, Title 14, Chapter 3, because extension of the Interim Ordinance would limit development pending completion of the contemplated zoning study.

Extension of this ordinance requires that the Board conduct a public hearing at which time the ordinance extending the Interim Ordinance may be adopted by no less than a four-fifths vote. The date of the public hearing has been set for June 2, 2009. Publication of a notice of this

public hearing will take place not less than ten (10) days prior to the hearing date, as required. In addition, the Planning Department will mail notices to interested residents and property owners in the affected area.

#### **IMPACT ON CURRENT SERVICES OR PROJECTS**

The proposed ordinance has no impact on current services or projects as the zoning compatibility study and associated tasks could be conducted without additional resources and staff.

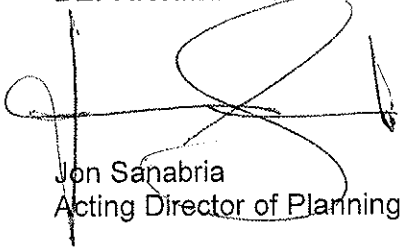
#### **CONCLUSION**

Extension of Interim Urgency Ordinance No. 2008-0027U would ensure that proposed residential development projects in the unincorporated Cerritos Island area would receive the necessary evaluation provided through the Conditional Use Permit review and public hearing process. Said Interim Ordinance would also provide staff with sufficient time to complete a Zoning Study, recommend appropriate corrective solutions and, if determined necessary, develop any associated ordinance or amendments to the Los Angeles County Zoning Code. This extension would not generate any fiscal impact or adversely impact current services or projects.

The proposed ordinance extending Interim Ordinance No. 2008-0027U has been prepared by County Counsel and is attached. A suggested notice of public hearing is also attached. If you have any questions, please contact me or Dr. Russell Fricano at (213) 974-4885.

Respectfully submitted,

#### **DEPARTMENT OF REGIONAL PLANNING**



Jon Sanabria  
Acting Director of Planning

JS:RJF:SFR:VS

Attachments: Sample public hearing notice  
Ordinance

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors